



## State of New Jersey

DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF CONSUMER AFFAIRS

STATE BOARD OF VETERINARY MEDICAL EXAMINERS  
124 HALSEY STREET, 6TH FLOOR, NEWARK NJ

JAMES E. MCGREEVEY  
Governor

DAVID SAMSON  
Attorney General  
MARK S. HERGENROTHER  
Director

Mailing Address:

P.O. Box 45020  
Newark, NJ 07101

(973) 504-6500

January 24, 2002

Forrest N. Gerry, III, VMD  
38N Stumpy Lane  
Carney's Point, NJ 08069

Dear Dr. Gerry:

This is to advise you that the New Jersey State Board of Veterinary Medical Examiners has received and reviewed certain information regarding activity in which you were engaged as a Board licensee. The Board's initial review discloses what appear to be multiple violations of N.J.S.A. 45:1-21(e), professional misconduct pursuant to N.J.A.C. 13:45C-1.3, failure to cooperate with the Board in an investigation of a licensee, in that you failed to respond to the Board's letter to you dated 8/29/00 which was sent to your address of record, you failed to appear for the investigative inquiry scheduled for 10/25/00 pursuant to the Board's letter dated 9/29/00 which sent to your address of record, and you consistently failed to provide the Board with your records for purchases of Nubain until September 21, 2001 when they were sent to the Board by your attorney, Mr. Spodoro.

You are hereby offered the opportunity to settle this matter and avoid the initiation of formal disciplinary proceedings by signing the enclosed certification and paying a civil penalty in the amount of \$2,500. Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will then consider this statement and render a final decision. You may also request a hearing in which case the matter will be scheduled, and this notice will serve as a complaint. At the hearing you may, either personally or with the assistance of an attorney, submit such testimony or other evidence as you may deem necessary in order for the Board to finally determine whether the unlawful acts set forth herein have been proven.

You should also be aware that upon final evaluation of the evidence submitted at the hearing, the Board may, if unlawful acts are found to exist, assess civil penalties in an amount greater than that herein offered in settlement. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring the restoration of any monies acquired by unlawful acts, the payment of costs and directing that you cease and desist from continued use of those acts found to be unlawful.

January 24, 2002

The enclosed certification must be returned to the Board with your indicated course of action within ten (10) days following receipt hereof. In the event that the Board receives no response within ten (10) days, the Board will consider you in default, the allegations contained herein shall be deemed uncontested, and the Board will proceed to finally review this matter and enter an appropriate final order.

Yours very truly,

STATE BOARD OF VETERINARY  
MEDICAL EXAMINERS

*DIANE I. ROMANO*

DIANE I. ROMANO  
Executive Director

COMPLETE THIS SECTION ON DELIVERY	
A. Received by (Please Print Clearly)	B. Date of Delivery 1/29/02
C. Signature <i>[Signature]</i>	<input type="checkbox"/> Agent <input checked="" type="checkbox"/> Addressee
D. Is delivery address different from item 1? If YES, enter delivery address below:	
<input type="checkbox"/> Yes <input type="checkbox"/> No	

  

COMPLETE THIS SECTION	
1. Article Addressed to: Forrest N Gerry III VMD 38N Stumpy Ln Carneys Pt NJ 08069-3619	
2. Article Number (Copy from service label) 7001 0360 0003 0129 9490	
PS Form 3811, July 1999	

  

3. Service Type	
<input checked="" type="checkbox"/> Certified Mail	<input type="checkbox"/> Express Mail
<input type="checkbox"/> Registered	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> C.O.D.
4. Restricted Delivery? <input type="checkbox"/> Yes <input type="checkbox"/> No	

RECEIVED  
FEB 03 2002  
STATE BOARD OF VETERINARY MEDICAL EXAMINERS

Domestic Return Receipt  
102595-00-M-0952

CERTIFICATION

I have received the Board's letter dated January 24, 2002 regarding alleged violations of the Board's enabling act and/or Board regulations.

Please check one:

✓ The allegations set forth therein are acknowledged, and I enclose herewith a check in the amount of \$ 2,500 payable to the State Board of Veterinary Medical Examiners. Assurance is hereby given that the conduct alleged in the notice will not continue or recur.

       I hereby waive any right which I may have to a hearing in this matter and submit a written statement for the Board's final consideration in this matter.

       A hearing on this matter before the Board is hereby requested. The Board may, however, refer this matter to the Office of Administrative Law for hearing.

File Number: N/A

Forrest N. Gerry, III V.M.D.  
(signature)

Date: Feb 7, 2002

FEB 13 2001